

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 12448

PERMIT 8084

LICENSE 4237

ORDER AMENDING LICENSE AND ADDING  
EQUAL PRIORITY CLAUSE TO LICENSE TERMS

WHEREAS Application 12448 was filed by C. A. Eddlemon and Nellie A. Eddlemon  
March 29, 1948, and

WHEREAS said application stated, "It is stipulated between Charles J. Faber,  
Lewey Murdock, C. A. Eddlemon and Nellie A. Eddlemon, Melvin O. Heib and LeRoy L. Heib  
that all applications filed by them at this time have equal priority of right," and

WHEREAS on March 29, 1948 applications were filed by each of the above named  
parties with the understanding that said applications were to be of equal priority; and

WHEREAS on October 23, 1950, said applications were approved and permits  
8080, 8081, 8082, 8083, 8084 and 8085 were issued in connection therewith, and

WHEREAS on March 21, 1956, License 4237 was issued in connection with Permit  
8084, and

WHEREAS reference to the equal priority agreement was omitted from said  
License 4237, and

WHEREAS it is determined that inclusion of an equal priority clause in said  
License 4237 is in order, the State Water Rights Board so finds, and

It is hereby ordered that said License 4237 be amended to include a clause  
as follows, to wit:

THE RIGHT CONFIRMED BY THIS LICENSE IS OF EQUAL PRIORITY WITH THE RIGHTS  
IN APPLICATIONS, 12444, 12445, 12446, 12447 and 12449.

Witness the hand and the seal of the State Water Rights Board this  
12th day of August, 1957

STATE WATER RIGHTS BOARD

By

*Leslie C. Jopson*  
Leslie C. Jopson  
Chief Engineer



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

## License for Diversion and Use of Water

APPLICATION 12448

PERMIT 8084

LICENSE 4237

Notice of Assignment (Over)

THIS IS TO CERTIFY, That C. A. and Nellie A. Eddlemon  
Route 1, Box 392  
Lodi, California have made proof as of May 25, 1954,  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
Bear Creek in San Joaquin County

tributary to San Joaquin River Drainage Area

for the purpose of irrigation and stockwatering use  
under Permit 8084 of the Department of Public Works and that said right to the use of said water has  
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works  
and the terms of the said permit; that the priority of the right herein confirmed dates from March 29, 1948;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed eighty-eight hundredths  
(0.88) cubic foot per second to be diverted from about March 1 to about November 1  
of each year.

The equivalent of such continuous flow allowance for any thirty day period  
may be diverted in a shorter time if there be no interference with other vested  
rights.

The point of diversion of such water is located north one thousand seven hundred fifty  
(1,750) feet and west one thousand eight hundred ten (1,810) feet from SW1/4  
corner of Section 23, T3N, R7E, MDB&M, being within NW1/4 of SW1/4 of said  
Section 23.

A description of the lands or the place where such water is put to beneficial use is as follows: Irrigation on

40 acres within NW1/4 of SW1/4 of Section 23, T3N, R7E, MDB&M  
10 acres within NE1/4 of SW1/4 of Section 23, T3N, R7E, MDB&M  
20 acres within NE1/4 of SE1/4 of Section 22, T3N, R7E, MDB&M  
70 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance  
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or  
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein conferred subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 21st day of March, 1956

HARVEY O. BANKS,  
~~Acting Commissioner~~, State Engineer

By R. C. Jopson  
~~Harvey O. Banks~~ L. C. Jopson  
Assistant State Engineer



10-23-61 - Name Chgd from C. A. Eddlemon  
to Estate of C. A. Eddlemon

10-2-63 RECEIVED NOTICE OF ASSIGNMENT TO Wm. F. & Frieda Cook

10-28-63 RECEIVED NOTICE OF ASSIGNMENT TO C. E. Swift

7-9-65 RECEIVED NOTICE OF ASSIGNMENT TO Ferdie Siemers &  
Jack Siemers

2-24-86 Ownership Chgd to Jack Siemers

5/21/90 assigned to San To Partnership  
and Fe Hufana

4/10/98 assigned to CORTEPASSI FARMS, INC. & FE HUFANA

LICENSE 4237

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO C. A. and Nellie A. Eddlemon

DATED MAR 21 1956

2